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2 **UNITED STATES DISTRICT COURT**

3 **DISTRICT OF NEVADA**

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs.

7 VERMON KRIS TURNER, RAYSHAWN
LEON TINNER, EBONI MARKESHA
TINNER,

8 Defendants.
9

Case No. 2:22-cr-00178-CDS-NJK

ORDER

(Docket No. 98)

10 Pending before the Court is the Government's motion for protective order, which it filed
11 on an emergency basis. Docket No. 98. For the reasons discussed below, the motion is **DENIED**
12 without prejudice.

13 First, the motion contains no legal authority of any kind, in violation of LCR 47-1.¹

14 Second, the motion seeks to designate all information disclosed by the Government in this
15 case as protected information. Docket No. 98 at 2 ("the government requests that the Court enter
16 a protective order limiting the disclosure of *any* reports, statements, recordings, *or other*
17 *information provided by the government in discovery*" (emphasis added)). The motion does not
18 explain why every piece of information revealed by the Government in this case should be subject
19 to a protective order.
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22 ¹ The Court takes very seriously a contention that discovery is being used to intimidate or
23 threaten the safety of a witness, which is the gist of the motion. *See* Docket No. 98 at 1-2. But it
is the Government, not the Court, that must justify obtaining the relief sought. The Court declines
to undertake the task of crafting arguments supported by legal authority on behalf of the
Government.

1 Third, and relatedly, the Government appears to seek protection for information that has
2 already been revealed through discovery. The motion does not explain why retroactive designation
3 is appropriate. The motion also does not explain how the Court can effectively prohibit persons
4 from “view[ing]” protected information if they already possess it and may not be under the Court’s
5 purview in this case.²

6 Accordingly, the motion for protective order is **DENIED** without prejudice. The
7 Government must renew its motion for protective order addressing the above concerns by noon on
8 March 27, 2024. The renewed motion must include well-developed argument with citation to legal
9 authority. Any responses must be filed by noon on March 28, 2024.³ Any reply must be filed by
10 6:00 p.m. on March 28, 2024. The Court **SETS** a hearing on the renewed motion for 11:00 a.m.
11 on March 29, 2024, in Courtroom 3C.

12 IT IS SO ORDERED.

13 DATED: March 26, 2024.

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NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE

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22 ² The Court expresses no opinion herein on the issues identified. The Court identifies the
23 issues, instead, so that they may be addressed by the Government in the renewed motion.

³ Counsel are reminded that the response deadline set herein governs regardless of any
automatically-generated CMECF notices that may be to the contrary. Local Rule IC 3-1(d).